TREE WORKS CONSENT REPORT

REF NO: **AW/157/11/T**

LOCATION: 2 Woodstock Gardens
Bognor Regis

PROPOSAL: Reduce canopy of 1 No Birch tree by 20%

SITE AND SURROUNDINGS

DESCRIPTION OF APPLICATION	As above.
SITE AREA	N/A
RESIDENTIAL DEVELOPMENT DEN	N/A
TOPOGRAPHY	Predominantly flat
TREES	The Silver Birch tree subject of the application.
BOUNDARY TREATMENT	Open to highway.
SITE CHARACTERISTICS	Detached single storey dwelling with principle windows close to the tree subject of the application.
CHARACTER OF LOCALITY	Private residential cul-de-sac. Mix of residential properties within the locality. Many mature trees within close proximity to the site.

RELEVANT SITE HISTORY

AW/243/00/T	Application to fell one Sycamore Tree	Approve Cond 27-12-2000
AW/147/05/T	Reduce canopy of one Sycamore tree by 20%.	Approve Cond 31-08-2005
AW/113/10/T	Fell 1 No Conifer tree	Approve Cond 08-07-2010

REPRESENTATIONS

Representations received:

Aldwick Parish Council

No objection; subject to consultation and the professional opinion of Aruns Aborist.

1 Letter of objection:
No surgery due to nesting birds.

Comments on Representations received:

Comments on Parish Council Response:
Comments noted. The Councils Arborist has made no objection to the works.

Comments on letter of objection:
Informative to attached to approval advising of relevant wildlife acts.

CONSULTATIONS

Council's Arboriculturalist

Consultations responses received:

Councils Arborist:
Considering the close proximity of the young and vigorous ornate Birch tree to the property, the above application for crown reduction is acceptable.

Comments on Consultation responses:

Comments noted

POLICY CONTEXT

Designation applicable to site:
Built-up Area Boundary
Tree Preservation Order- TPO/AW/3/91

DEVELOPMENT PLAN POLICIES

Arun District Local Plan:

PLANNING POLICY GUIDANCE

SUPPLEMENTARY POLICY GUIDANCE

XXX1	Circular 36/78
XXX2	DETR TPO's A guide to Law and Good Practice

POLICY COMMENTARY

TREES
The above policies are general and, other than Circular 36/78 and DETR TPOs, are not specific to trees.

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

TREES
Section 198 of the Town and Country Planning Act 1990 states:
"If it appears to a Local Planning authority that it is expedient in the interest of amenity to make provision for the preservation of trees.... they may for that purpose make an order"

The works to the trees are to be judged having regard to amenity.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

This application seeks permission to reduce the canopy of 1no. Birch tree by 20%. The tree is located within the front garden of the site, forming part of the street scene therefore contributing to public visual amenity.

The works proposed are modest and are not cosndiered to detract from the visual significance of the tree. In terms of the impact upon the health of the tree, the District Arboriculturist has raised no objection to the proposed works.

It is therefore recommended that the application be approved, subject to the following conditions:

RECOMMENDATION

APPROVE CONDITIONALLY

1 The work hereby approved shall be undertaken under the supervision of the Local Planning Authority who shall be notified in writing, not less than 7 days before the work commences.

Reason: In order to ensure a satisfactory standard of tree surgery in the interests of amenity.

2 The burning of materials obtained by site clearance or from any other source shall not take place within 6 metres of the furthest extent of the canopy of any tree or group of trees to be retained on the site or on land adjoining.

Reason: To protect trees and vegetation from fire damage in the interests of the visual amenities of the locality.

3 The canopy of the Birch tree subject of this application shall be reduced by a maximum of 20%. All works should be carried out in accordance with British Standard 3998: Recommendations for tree work.

Reason: In the interests of the health and appearance of the preserved tree.

4 INFORMATIVE: The applicant should note that under Part 1 of the Wildlife and Countryside Act 1981, with only a few exceptions, it is an offence for any person to intentionally take, damage or destroy the nest of any wild birds while the nest is in use or being built. Birds nest between March and September and therefore removal of dense bushes, ivy or trees or parts of trees etc. during this period could lead to an offence under the act.

5 INFORMATIVE: This notice does not give authority to destroy or damage a bat roost or disturb a bat. Bat species are protected under Section 39 of the 1994 Conservation (Natural Habitats etc) Regulations (as amended), the 1981 Wildlife and Countryside Act (as amendd) and the 2000 Countryside and Rights of Way Act. It is illegal to damage or destroy any bat roost, whether occupied or not, or disturb or harm a bat. If you are aware that bats roost in a tree(s) for which work is planned, you should take further advice from Natural England (via the Bat Conservation Trust on 0845 1300228) or an ecological consultant before you start. If bats are discovered during the work, you must stop immediately and contact Natural England before continuing.